

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

<i>IN RE CATTLE AND BEEF ANTITRUST LITIGATION</i>	Case No. 20-cv-1319 (JRT/JFD)
This Document Relates To:	
All Cases	

JOINT STIPULATION TO MODIFY SCHEDULING ORDER

The Parties, by and through their undersigned counsel, hereby stipulate as follows:

The Parties first proposed possible case schedules to the Court as part of their Joint Rule 26 report. ECF No. 282 (filed November 2021). On June 22, 2022, the Court entered the Scheduling Order (ECF No. 571) and the Order Regarding Search Methodology for Electronically Stored Information (“Search Methodology Order”) (ECF No. 572).

On June 30, 2022, Defendants notified Plaintiffs in a separate meet-and-confer that Defendants would propose modifications to the Scheduling Order; they sent Plaintiffs a written proposal the next day. On July 13, 2022, Defendants also notified the Court that the parties were discussing modifications to the Scheduling Order proposed by Defendants. ECF No. 587 (filed July 13, 2022).

The Parties met and conferred regarding the proposed modifications and agree that the Scheduling Order should be modified for good cause. As the Parties recognized in June, the “progress on unstructured data productions in particular [was] affected by the

outstanding search-methodology dispute and by ongoing negotiations over RFPs.” ECF No. 565 at 3.

The Search Methodology Order was entered on June 22, 2022, and under its terms, search term negotiations are scheduled to begin “[w]ithin 14 days of the parties completing their negotiations on all discovery issued as of January 1, 2022, and the Court ruling on any outstanding RFP disputes arising from these negotiations.” ECF No. 572, at 6. The Parties completed those RFP negotiations on July 14, 2022, pursuant to the Court’s deadline. ECF No. 570. Plaintiffs filed a Motion to Compel and noticed it for a hearing on August 15, 2022. ECF No. 596. Under the current case schedule, however, by this same date (August 15), Defendants are due to have *completed* the document productions for five “Priority Custodians.” ECF No. 571. The Parties agree that this deadline, and several others, cannot be reasonably met and should be extended given the schedules set in other orders and the extensiveness of discovery negotiations.

To continue advancing the progress of discovery in these coordinated cases, the parties agree to begin search term negotiations earlier than provided for in the Search Methodology Order.

Similarly, the Parties further agree to set certain interim production deadlines associated with Defendants’ productions in related investigations, which are to be produced in these cases consistent with the Parties’ prior agreements and the Court’s rulings.

Therefore, the Parties hereby stipulate and respectfully request that the Court approve modifying the existing case schedule as follows:

<u>Event</u>	<u>Current Deadline</u>	<u>Proposed Modification</u>
First phase search term proposals begin with proposals by producing parties	[No date certain; <i>see</i> Search Methodology Order (“SMO”)]	8/15/2022 for all RFPs resolved prior to Plaintiffs’ Motion to Compel (ECF No. 591) (“Resolved RFPs”). 14 days after a ruling on the Motion to Compel for these RFP disputes.
Requesting parties provide proposed revisions to producing parties’ search terms	[Per SMO, 14 days after producing parties’ proposals]	14 days after producing parties’ proposals
Producing party supports its objections to proposed revised search terms	[Per SMO, 14 days after requesting parties’ proposals]	14 days after requesting parties’ proposals
Conclude meet and confers and file motion practice over search terms, if any	[No current deadline]	10/4/2022
Rolling Productions to commence	4/18/2022	All Parties have already started producing available documents. To advance discovery while certain disputes and negotiations continue, Defendants further agree to the following interim deadlines: By 8/12/2022: Defendants to begin additional rolling productions of responsive, nonprivileged materials that were produced in related state and federal government cases (“Investigative Materials”) on or before 7/29/2022 (“pre-August”). By 8/23/2022: Defendants to have produced the substantial corpus of the pre-August Investigative Materials.

		<p>By 9/26/2022: Defendants to produce the remaining pre-August Investigative Materials.</p> <p>By 10/25/2022: Any additional Investigative Materials produced in the related cases between 7/29/2022 and 9/2/2022 to be produced by Defendants in this matter.</p> <p>Investigative Materials produced in the related cases after 9/2/2022 will be produced in this matter on a rolling basis.</p>
Productions for 5 Priority Custodians to be completed	8/15/2022	12/15/2022 for Resolved RFPs (subject to the understanding that if the parties bring motion practice over certain search terms, this deadline will not apply to the disputed search terms)
Structured data productions complete	9/1/2022	12/1/2022 Structured data subject to the Motion to Compel need not be produced until 40 days after a ruling on the Motion to Compel, or 3/1/2023, whichever is later.
Document productions substantially complete	11/1/2022	2/23/2023
Motions to amend the pleadings	12/1/2022	4/5/2023
Class certification motions and Plfs. serve class cert. expert reports	5/1/2023	8/16/2023
Defs.' class cert. oppositions, Defs.' class cert. Daubert motions, and Defs. serve class cert. expert reports	7/3/2023	10/18/2023

Plfs.' class cert. replies, Plfs.' class-cert.-related Daubert motions, Plfs.' opps. to Defs.' Daubert motions, and Plfs. serve any class cert. expert rebuttal reports	9/1/2023	12/21/2023
Fact discovery completed	10/2/2023	2/2/2024
Defs.' opps. to Plfs.' Daubert motions, and Defs.' replies ISO Defs.' Daubert motions	10/13/2023	2/15/2024
Plfs.' replies ISO Plfs.' Daubert motions	11/13/2023	3/15/2024

Deadlines related to the service of back-up materials and depositions of class certification experts will remain as set forth in the Scheduling Order. All other deadlines in the Scheduling Order that are set by reference to other dates, rather than as a date certain, will similarly remain as set forth in the Scheduling Order.

Consistent with the above, the Parties respectfully request that the Court enter the concurrently submitted proposed order.

Dated: July 25, 2022

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